INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IP05-240)

LAGUNA CANYON ROAD IMPROVEMENT PROJECT (SR-73 TO EL TORO ROAD)

LSA

February 2006
Revised September 2006

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Submitted to:

County of Orange
Resources and Development Management Department
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LSA Project No. EMA631A

LSA

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1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

This Initial Study (IS)/Mitigated Negative Declaration (MND) analyzes the environmental effects of the proposed improvements to Laguna Canyon Road from 0.06 miles south of El Toro Road to State Route 73. The proposed project will improve the shoulder to a standard width of 7.9 feet, provide an on-road Class III Bikeway, provide the opportunity to replace overhead utilities with underground utilities, and make minor operational improvements to the SR-133/El Toro Road intersection by adding one northbound approach lane to provide two northbound through lanes and a dedicated northbound right-turn lane.

The purpose of the improvements to Laguna Canyon Road is to resolve deficiencies and problems with the existing SR-133. The deficiencies are as follows:

- Bicyclists must ride on non-standard shoulders in this segment of the Class III Bikeway (Bike Route).
- Overhead utility poles are located immediately adjacent to the nonstandard shoulder on the west side of the roadway.
- The intersection of El Toro Road currently operates at an unacceptable level of service (LOS) and is forecast to continue to operate at an unacceptable LOS in the future.

The SR-133 improvement project addresses existing and projected deficiencies along this portion of SR-133 by:

1. Substantially improving roadway safety by providing standard shoulders (7.9 feet). Currently the width of the roadway shoulders is 3.9 feet or less and is less than Caltrans standards.
2. Improving the Class III Bikeway.
3. Improving safety and aesthetics by providing an opportunity to underground overhead utilities.
4. Improving traffic operations at the El Toro Road intersection through minor intersection modifications.

A full project description is provided in Section 2.2. This Initial Study has evaluated each of the environmental issues contained in the checklist provided in Section 3.0 of this document.

1.2 FINDINGS OF THIS INITIAL STUDY

Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, this Initial Study has been prepared to determine whether implementation of the proposed improvements (proposed project) will result in significant environmental impacts that would require mitigation or the preparation of an Environmental Impact Report (EIR) if significant impacts cannot be avoided.

This Initial Study is based on an Environmental Checklist form, as suggested in Section 15063 (d)(3) of the State CEQA Guidelines. The completed form is found in Section 3.0 of this Initial Study/Mitigated Negative Declaration. It contains a series of questions about the proposed project for each of the listed environmental areas. The form is used to evaluate whether or not there are any significant environmental effects associated with implementation of the proposed project and, if there are, whether or not mitigation measures can be attached to the project to lessen or avoid such impacts.

Section 4.0 provides an explanation for each answer indicated on the form. The form and accompanying evaluation provide the information and analysis upon which the County may make its determination as to whether or not an EIR must be required for the project. The form is used to review the potential environmental effects of the proposed project for each of the following areas:

- Land Use and Planning
- Agriculture
- Population and Housing
- Geology and Soils
- Hydrology and Water Quality
- Transportation/Circulation
- Air Quality
- Noise
- Biological Resources
- Aesthetics
- Cultural/Scientific Resources
- Recreation
- Mineral Resources
- Hazards
- Public Services
- Utilities and Service Systems
- Mandatory Findings

1.3 EXISTING DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data.

The documents outlined in this section are hereby incorporated by reference, and the pertinent material is summarized throughout this Initial Study/Mitigated Negative Declaration, where that information is relevant to the analysis of potential impacts resulting from the project. Any document incorporated by reference is available for review at the County of Orange. The following were used as source documents in preparing the responses to the Environmental Checklist in Section 4.0; the reference numbers indicated below have been incorporated into the text.

1. *Addendum IP 00-143 to Final Environmental Impact Report No. 556, 2000 (County of Orange)*
2. *Addendum IP 01-031 to Final Environmental Impact Report No. 556, 2001 (County of Orange)*
3. *Addendum IP 02-170 to Final Environmental Impact Report No. 556, 2002 (County of Orange)*
4. *Aerial Photograph, 2004 (Eagle Aerial)*
5. *City of Laguna Beach General Plan, Land Use Element, 1998*
6. *City Laguna Beach General Plan, Open Space/Conservation, 1989*

7. *City of Laguna Beach General Plan, Transportation, Circulation and Growth Management Element, 2001*
8. *County of Orange General Plan, 2000*
9. *County of Orange Zoning Code, 2005*
10. *Project Report on State Route 133, Laguna Canyon Road from 0.1 KM south of El Toro Road to State Route 73, San Joaquin Hills Transportation Corridor, 2006*
11. *Environmental Assessment/Finding of No Significant Impact, State Route 133 – Laguna Canyon Road Widening and Realignment, Interstate 405 to State Route 73, 2001(Federal Highway Administration)*
12. *Environmental Reevaluation for Laguna Canyon Road (SR-133) Widening and Realignment Project, 2002 (Caltrans and FHWA)*
13. *Historic Property Survey Report for the SR-133 Laguna Canyon Road Widening and Realignment, Interstate 405 to State Route 73, 1997 (LSA Associates, Inc.)*
14. *Laguna Canyon Annexation Area Specific Plan, 1991 (City of Laguna Beach)*
15. *Laguna Canyon Road Improvement Project I-405 to El Toro Road Final Environmental Impact Report No. 556, 1994*
16. *Local Coastal Program Aliso Viejo Segment of the Aliso Creek Planning Unit, 1980 (County of Orange)*
17. *Local Coastal Program Land Use Plan/Implementing Actions Program Aliso Viejo Segment of the Aliso Creek Planning Unit, 1987 (County of Orange)*
18. *Master Plan of Arterial Highways, Orange County ,2003 (Orange County Transportation Authority)*
19. *Cultural Resources Assessment for Laguna Canyon Road (SR-73 to El Toro Road), 2005 (LSA Associates, Inc.)*
20. *Williamson Act Parcels—Agricultural Preserves 2004 (California Department of Conservation Web site: ftp:conserve.ca.gov/pub/dlrp/wa)*

1.4 CONTACT PERSON

The Lead Agency for the Initial Study for the proposed project is the County of Orange. Any questions about the preparation of this Initial Study, its assumptions, or its conclusions should be referred to the following CEQA contact person:

Ms. Lisa Cibellis
Resources and Development Management Department
County of Orange
300 North Flower Street
P.O. Box 4048
Santa Ana, CA 92702-4048
(714) 834-2089

Questions regarding the project design should be referred to the Project Manager:

Mr. Ben Chin
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2.0 PROJECT DESCRIPTION

2.1 PROJECT SITE SETTING

Existing Laguna Canyon Road is a State Highway designated as State Route 133 (SR-133) and is under the jurisdiction of the California Department of Transportation (Caltrans). Laguna Canyon Road is also a component of the State Freeway and Expressway System. State Route 133 extends from State Route 1 (SR-1, also known as Pacific Coast Highway) to State Route 241 (SR-241, also known as the Foothill Transportation Corridor), a distance of 12.8 miles.

Improvements to Laguna Canyon Road are being proposed from 0.06 mile south of El Toro Road to SR-73 a distance of approximately 0.74 mile. The project is shown in Figure 2.1. In the study area, Laguna Canyon Road is a three-lane highway (two northbound lanes and one southbound lane) between SR-73 and El Toro Road. The only arterial intersection is at El Toro Road, at the south end of the study area; it is a signalized "T" intersection.

Laguna Canyon Road is classified by Caltrans as a conventional highway. The Orange County Existing Bikeways map and the Orange County Commuter Bikeways Strategic Plan, 2001, has identified this segment of SR-133 as a Class III Bikeway (on-road, signed bicycle route). The highway is a heavily traveled bicycle route. This classification also applies to SR-133 south of the project limits. Pedestrian volumes are nominal.

The roadway is located in Upper Laguna Canyon, which is considered an environmentally sensitive area. Most of Upper Laguna Canyon is being, or has been, acquired by public agencies in conjunction with regional open space preservation efforts. Laguna Coast Wilderness Park and Aliso and Wood Canyons Wilderness Park are located adjacent to Laguna Canyon Road within the study area. Three natural lakes known as the Laguna Lakes are located approximately midway between El Toro Road and the I-405, approximately one mile north of the project area. The roadway follows Laguna Canyon Creek, which flows south to the ocean.

2.2 PROJECT DESCRIPTION

As described in Section 1.1, the County of Orange is proposing improvements to SR-133 to improve the safety and operational characteristics of Laguna Canyon Road. The County of Orange's Resources and Development Management Department is proposing to improve the roadway shoulder to a standard width, provide an on-road Class III Bikeway (Bike Route), provide an opportunity to replace overhead utilities with underground utilities, and make minor operational improvements to the SR-133/El Toro Road intersection. Each of these improvements is described below and is shown in Figure 2.2.

Figure 2.1: Regional Location

Figure 2.2: Proposed Project

Right-of-Way

Right-of-way will need to be acquired for the project in the area north and south of El Toro Road and east of Laguna Canyon Road. A total of approximately 0.56 acre will be acquired in easement for roadway purposes (0.36 acre from the City of Laguna Beach and 0.20 acre from County of Orange—Harbors, Beaches, and Parks.)

Roadway Shoulder

The existing roadway shoulder is at a non-standard width of 3.9 feet or less. The project proposes to provide standard shoulders (7.9 feet) to substantially improve roadway safety by providing wider shoulders for use by vehicles and bicyclists, thus reducing the probability of accidents (Figure 2.3). The provision of standard shoulders also reduces the potential for single- car accidents by providing a recovery area.

Class III Bikeway

Currently, bicyclists must utilize the limited shoulder area on the west side of the roadway. The project proposes to provide standard shoulders (7.9 feet) to substantially improve the safety of the Bikeway (please see Figure 2.2 for location of bikeway). The Bikeway would be established in both northbound and southbound directions.

Undergrounding of Utilities

Overhead utility poles are located immediately adjacent to the existing roadway shoulder on the west side of the roadway. The project proposes to construct underground conduits providing for undergrounding of existing overhead utilities, remove fixed objects adjacent to the roadway, and improve aesthetics within the study area. Currently, Southern California Edison, Cox Cable, and Sprint have aboveground utilities along the segment. Southern California Edison transmission utilities will be placed in conduits approximately 3.6 feet below ground adjacent to the edge of the shoulder on the southbound side of the roadway. On the northbound side of the roadway, Cox Communications and Sprint utilities will be placed in conduits approximately 3.6 feet below ground. In addition, Southern California Edison distribution and communication lines will be placed in conduits approximately 12 inches below the Cox Communications and Sprint utilities. Five unpaved motor vehicle pullouts (MVPs) will be constructed to provide access to the underground facilities through a vault located in each MVP. Undergrounding of the overhead facilities is a separate project that can be undertaken either concurrently with the proposed project or at a later date.

SR-133/El Toro Road Intersection

Currently, this intersection operates at an unacceptable level of service (LOS) LOS E in the A.M. peak hour, and is forecast to operate at LOS F in the year 2025. The proposed project would improve traffic operations at the SR-133/El Toro Road intersection to within an acceptable LOS D. Modifications to the intersection include one additional northbound approach lane to provide a second northbound through lane and a dedicated northbound right turn lane. The proposed project

also improves the acceleration/merge lane on the north side for vehicles turning onto Laguna Canyon Road from El Toro Road. Please refer to Section 4.6 for a further discussion of traffic conditions. As part of the proposed improvements, traffic signals would be designed to accommodate pedestrian/equestrian users, including provision of horse height buttons, heavy-finish landings behind the signal, and appropriate signage.

Wetland/Riparian Mitigation Site

A wetland/riparian mitigation site has been identified to address project impacts to jurisdictional waters/wetland impacts. The mitigation site encompasses approximately 7.6 acres in the southeast quadrant of the Laguna Canyon Road/El Toro Road intersection (Figure 2.4) within AWCRP. Existing vegetation within the mitigation site consists of a wet meadow, small creek channels, and willow riparian scrub. The area has become degraded and has been invaded by several weed species, most notably Harding grass *(Pharlaris aquatica)*, a California Invasive Plant Council (CAL IPC) List B species. The mitigation area presents the opportunity to restore the biological value of the meadow and includes areas appropriate for restoration of wetland and riparian habitats.

The proposed mitigation involves the removal of Harding grass, tall wheatgrass *(Elytrigia pontica* ssp. *pontica)*, poison hemlock *(Conium maculatum)*, wild radish *(Raphanus sativa)*, and other nonnative species from the site, followed by the planting and seeding of native wetland/riparian species. The site would then be maintained and monitored according to the mitigation requirements of the associated regulatory permits.

2.3 DISCRETIONARY ACTIONS

The following discretionary actions are required for project approval:

County of Orange	• Coastal Development Permit • Utility Undergrounding Agreement • Easement for roadway purposes
City of Laguna Beach	• Coastal Development Permit • Easement for roadway purposes • Encroachment Permit
Caltrans	• Encroachment Permit
California Department of Fish and Game (CDFG)	• Streambed Alteration Agreement
Regional Water Quality Control Board (RWQCB)	• Section 401 Certification
Army Corps of Engineers (Corps)	• Section 404 Permit

Figure 2.3: Typical Cross Section

Figure 2.4: Wetland/Riparian Mitigation Site

3.0 ENVIRONMENTAL ANALYSIS CHECKLIST

ENVIRONMENTAL ANALYSIS CHECKLIST

Mitigated Negative Declaration Number IP05-240 for the Laguna Canyon Road (SR-73 to El Toro Road) Project

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
1. LAND USE & PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☒	☐	☐
2. AGRICULTURE. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒
3. POPULATION & HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
4. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soils, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
5. HYDROLOGY & WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
f) Have a significant adverse impact on groundwater quality or otherwise substantially degrade water quality?	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
6. TRANSPORTATION/CIRCULATION. Would the project:				
a) Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
g) Conflict with adopted policies, plan or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	☐	☐	☐	☒
7. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
8. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a private or public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working the project area to excessive noise levels?	☐	☐	☐	☒
9. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	☐	☒	☐	☐
c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐
10. AESTHETICS. Would the project:				
a) Have a substantial adverse effect a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
11. CULTURAL/SCIENTIFIC RESOURCES, Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse changed in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
12. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒
13. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒
14. HAZARDS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐
i) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?	☐	☐	☐	☒
15. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☒	☐	☐
ii) Police protection?	☐	☒	☐	☐
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
16. UTILITIES & SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☐	☒
MANDATORY FINDINGS				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have possible environmental effects, which are individually limited but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
c) Does project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly	☐	☐	☐	☒

DETERMINATION:
Based upon the evidence in light of the whole record documented in the attached environmental checklist explanation, cited incorporations and attachments, I find that the proposed project:

COULD NOT have a significant effect on the environment, and a negative declaration (ND) will be prepared pursuant to CEQA Guidelines Article 6, 15070 through 15075. ☐

COULD have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures have been added to the project. A negative declaration (ND) will be prepared pursuant to CEQA Guidelines Article 6, 15070 through 15075. ☒

MAY have a significant effect on the environment, which has not been analyzed previously. Therefore, an environmental impact report (EIR) is required. ☐

Signature: _____

Planner: Ron Tippetts
Resources and Development Management Department
Environmental Planning Services Division
Telephone: (714) 834-5394

NOTE: All referenced and/or incorporated documents may be reviewed by appointment only, at the County of Orange Resources and Development Management Department, 300 N. Flower Street, Santa Ana, California, unless otherwise specified. An appointment can be made by contacting the CEQA Contact Person identified above.

Revised 2-5-03

4.0 CHECKLIST RESPONSES

4.1 LAND USE AND PLANNING

Would the Project:

a) Physically divide an established community?

No Impact. The surrounding property is comprised of open space and undeveloped land uses (USGS 7.5' quadrangle, *Laguna Beach*, 1981). The proposed project follows an existing roadway, and there are no communities in the area to divide. There is no developed community on or adjacent to the project site. Therefore, the proposed improvements would not divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact with Mitigation.

Local Coastal Programs. The southerly portion of the proposed project is located within the Coastal Zone as shown in Figure 4.1. The Coastal Zone boundary is located approximately 600 feet north of the Laguna Canyon Road/El Toro Road intersection. Both the County and the City of Laguna Beach have approval authority over projects within this portion of the Coastal Zone. There are two Local Coastal Programs (LCPs) that have been approved by the Coastal Commission and are administered by the County of Orange, the Newport Coast LCP, and the Aliso Creek Planning Unit LCP. Each of these LCPs is identified in Figure 4.1. The proposed project is located within Planning Area 20C of the Newport Coast LCP and the El Toro Gateway within the Aliso Creek Planning Unit LCP.

The City of Laguna Beach's General Plan constitutes the LCP for this portion of the City. The Coastal Commission has approved the General Plan and associated Coastal Resources Appendix, and the City administers the General Plan. Both the City and County review and approve Coastal Development Permits for activities within this portion of the Coastal Zone. All of these documents anticipate improvements to Laguna Canyon Road.

Coastal Development Permits would be required to construct the proposed improvements due to their location within the Coastal Zone. A Coastal Development Permit Application has been submitted by RDMD-Road Design outlining the regulatory framework and identifying potential project effects on coastal resources protected by the County's LCPs. As described in this application, the proposed project would have the potential to result in the following impacts to important coastal resources identified in the County's LCPs: increased downstream soil erosion and stormwater runoff degradation during construction and operation. This will directly impact jurisdictional waters and the discovery of unknown cultural and paleontological resources.

Figure 4.1: Coastal Zone and LCP Boundaries

The total impact area for the proposed project is 1.4 acres, with approximately 0.39 acre located within the Coastal Zone. Of this total, 0.25 acre is within the County of Orange's jurisdiction and the remaining 0.14 acre is located within the City of Laguna Beach.

There are currently flooding and degraded water quality conditions at Main Beach, where Laguna Canyon Creek ultimately empties into the ocean. Any increase in downstream flows has the potential to exacerbate existing flooding conditions and degraded water quality downstream. As described in Responses 4.5(a–h) (Hydrology & Water Quality) below; the increase in flow due to the approximately 0.3 acre of additional paved area represents one-tenth of one percent of the total Laguna Canyon Creek watershed and is not considered a substantial impact. Additionally, any increase in impervious surfaces has the potential to result in an incremental contribution of pollutants to runoff during low flow conditions and major storm events. Due to the limited extent of the disturbance and paved areas and the implementation of Mitigation Measure 4.5-1 (Erosion Control Plan), potential short-term and long-term erosion and water quality impacts to coastal resources downstream of the proposed project impact would be reduced to below the level of significance.

Emissions of fugitive dust have the potential to result in aerial deposition of soil on habitat adjacent to the construction site and within Laguna Canyon Creek during construction activities. As described above, the quality of water entering the ocean from the Laguna Canyon Creek outlet at Main Beach is degraded. As described in Response 4.7(b) (Hydrology & Water Quality) below, deposition of fugitive dust into Laguna Canyon Creek during construction could potentially occur, but due to the limited nature of the disturbance area (0.82) acre would be minimized through compliance with Mitigation Measure 4.7-1. Thus, the project's contribution to short-term impacts to the quality of downstream flows within the coastal zone would be reduced to below the level of significance.

There is one Environmentally Sensitive Habitat Area (ESHA) Category D within PA20C of the Newport Coast LCP. As described in Section I-3-F of the LCP, the Category D ESHA within PA20C would be modified or eliminated by development within the Planning Area. The Open Space Dedication Programs and Riparian Creation Programs established for the LCP mitigate any loss of habitat value resulting from modification or elimination of the drainage course or associated vegetation of this Category D ESHA. The proposed project would impact up to 0.39 acre of waters located within Laguna Canyon Creek under the jurisdiction of the Army Corps of Engineers and California Department of Fish and Game. Less than half of the impacts to jurisdictional waters are located within the Coastal Zone. Several options have been identified for mitigating project impacts to jurisdictional waters within Laguna Canyon Creek. As described in Response 4.9(b) (Biological Resources) below, potential effects to jurisdictional waters would be mitigated at a minimum replacement ratio of 1:1, resulting in a no net loss of habitat value. With implementation of Mitigation Measures 4.9-2 (wetland/riparian mitigation plan), 4.9-3 (oak tree replacement plan), 4.9-4 (404 Permit), 4.9-5 (Streambed Alteration Agreement), and 4.9-6 (401 Certification), potential impacts to jurisdictional waters within the Coastal Zone would be reduced to below the level of significance.

There are no known cultural or paleontological resources within the study area. There is the potential to encounter unknown resources during construction, as discussed in Response 4.11 (Cultural Resources), and measures have been identified to minimize potential impacts to unknown resources within the project study area, including the Coastal Zone.

As described in Response 4.6(a) (Transportation), during construction lane closures could result in temporary delays to vehicles accessing the coastal resources in Laguna Beach. With implementation

of Mitigation Measure 4.6-1, which requires implementation of a traffic management plan, potential impacts to coastal access due to traffic delays would be reduced to below the level of significance.

The proposed project would have positive effects within the Coastal Zone by providing Class III bicycle lanes from SR-73 to the El Toro Road intersection, facilitating access to the Laguna Coast Wilderness Park, Aliso/Wood Canyons Regional Park, Main Beach, and other beaches within the City of Laguna Beach by alternative modes of transportation. Improvements to the Laguna Canyon Road/El Toro Road intersection will improve its operation, thus reducing existing delays that occur during the AM weekday peak hour. Additionally, delays during the weekends and summer months, when the peak number of visitors to Laguna Coast Wilderness Park, Aliso/Wood Canyon Regional Park, and Laguna Beach are expected, would also be improved. Finally, undergrounding of the existing overhead utility lines would remove an urban feature from the rural landscape within this portion of Laguna Canyon, thus improving the quality of viewshed experienced by drivers or bicyclists.

As described in the Coastal Development Permit Application, the proposed project would not result in significant impacts to resources within the Coastal Zone with implementation of the mitigation measures identified. Potential effects due to short-term and long-term soil erosion, stormwater runoff quality, jurisdictional waters, oak trees and short-term construction impacts to cultural and paleontological resources and vehicular traffic within the Coastal Zone would be reduced to below the level of significance with implementation of Mitigation Measures 4.5-1 (Erosion Control Plan and Storm Water Control Plan), 4.6-1 (Traffic Management Plan), 4.7-1 (Fugitive Dust Control Plan), 4.9-1 (Habitat Mitigation and Monitoring Program), 4.9-2 (Wetland/Riparian Mitigation Plan), 4.9-4 (404 Permit), 4.9-5 (Streambed Alteration Agreement), and 4.9-6 (401 Certification).

Laguna Coast Wilderness Park General Development Plan (GDP). As stated in the Laguna Coast Wilderness Park General Development Plan (GDP), in the planning of the park, the road realignment studies were taken into consideration. A right-of-way reservation along the existing road was included in the dedication of land for the park to allow widening the road in its present alignment if agreement could not be reached or an alternative alignment is constructed.

County of Orange General Plan. The proposed project will implement the Bikeway Plan located in the Circulation Element of the General Plan. The emphasis of the Bikeway Plan is placed on bicycle routes which compliment other transportation modes (e.g., transit, car-pool, etc.) serving activity centers. The Bikeway Plan also addresses the recreational objectives of bicycling. This is done in concert with other Countywide recreational programs such as regional parks and riding and hiking trails.

City of Laguna Beach General Plan. The proposed project is consistent with the City of Laguna Beach General Plan Land Use Element. The Land Use Element states: "Since the majority of new development opportunities in Laguna Beach will consist of infilling or redevelopment within established urban areas, the City's capital improvement program will continue to focus on maintaining the operating efficiency of existing infrastructure. This will include normal maintenance, repair and replacement of older facilities and in some cases increasing the size of other facilities to accommodate greater capacity due to continuing growth."

In addition, the proposed project is consistent with the City of Laguna Beach General Plan Transportation, Circulation and Growth Management Element. Policy 2H states: "Promote the safe and efficient movement of both local and through traffic, including the improvement of 'bottleneck' intersections where feasible." Also, Policy 2I states: "Promote a local circulation system which serves the community and provides linkages to neighborhoods and regional transit facilities." Policy 9C states: "Support and coordinate the development and maintenance of bikeways in conjunction with the County of Orange Master Plan of Countywide Bikeways to assure that local bicycle routes will be compatible with routes of neighboring jurisdictions." In particular, these bikeways include Route 67 through Laguna Laurel Regional Park, Route 71 along Laguna Canyon Road, Route 75 along El Toro Road, and Route 25 along Pacific Coast Highway.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Less Than Significant Impact with Mitigation. The proposed project is located within the coastal portion of the Orange County—Coastal Subregion Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) program. The approved NCCP/HCP and the accompanying Section 10(a) permits specifically identify the realignment and widening of SR-133 as an authorized project. Potential direct and indirect effects on the NCCP/HCP reserve are discussed in Response 4.9(f) (Biological Resources). Compliance with Mitigation Measure 4.9-1, which identifies minimization measures to be undertaken in compliance with the NCCP/HCP, would reduce potential impacts to less than significant.

4.2 AGRICULTURE

Would the Project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. According to the Farmland Mapping and Monitoring Program of the California Department of Conservation (2000), there is no designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the project area.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. According to the County of Orange zoning Code and the Department of Conservation, there is no agriculturally zoned land, or land protected by a Williamson Act contract, within the study area. Therefore, there would be no impact to agriculturally zoned or protected lands.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagriculture?

No Impact. The study area consists of roadway right-of-way and undeveloped land. Changes to the existing environment within the study area would not lead to conversion of farmland either directly or indirectly as there is no agricultural land in the vicinity, nor does the project provide increased roadway capacity that facilitates conversion of agricultural land in other areas of Irvine. Therefore the proposed project would not lead to the conversion of existing farmland. (FEIR No. 556)

4.3 POPULATION AND HOUSING

Would the Project:

a) Induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed project does not directly result in population growth and does not indirectly add capacity allowing population growth. The proposed project provides minor improvements to an existing roadway to achieve standard safety and operational standards and will not facilitate population growth or associated vehicle trips. (Project Report 2006)

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. According to a 2004 aerial photograph (Eagle Aerial), there are no communities or housing within the project area; therefore, the proposed improvements do not displace any housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. According to a 2004 aerial photograph (Eagle Aerial), there are no communities or housing within the project area; therefore, the proposed improvements do not require displacement of housing, and no people will be displaced.

4.4 GEOLOGY AND SOILS

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. The proposed project is not within an Alquist-Priolo Special Studies Zone, and fault rupture is not anticipated. However, fault movement from regional faults

(e.g., Newport-Inglewood, San Andreas, or Elsinore faults) could cause secondary seismic effects such as ground shaking in the study area. The Newport-Inglewood fault is located approximately 4.3 miles to the southwest of the SR-73/SR-133 intersection and is the closest fault to the proposed project. (EA/FONSI 2001) The project will be designed to meet appropriate seismic standards established by Caltrans for State Highways.

ii) Strong seismic ground shaking?

Less Than Significant Impact. Please see the response for 4.4(a)(i) (above).

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The geotechnical analysis conducted for FEIR No. 556 indicated that the project area is considered to have moderate to high liquefaction potential. Liquefaction impacts associated with the project would be remediated through compliance with Caltrans Standard Special Provisions (SSPs) including overexcavation and recompaction of liquefiable materials or densification of the loose, granular, saturated material. The project plans, specifications and estimates (PS&E) will be required to conform to Caltrans standards related to seismic ground failure. Therefore, the liquefaction potential is considered less than significant.

iv) Landslides?

Less Than Significant Impact. The geotechnical analysis conducted for FEIR No. 556 indicated that portions of the proposed project (on the western side of Laguna Canyon) are within an area of known prehistoric landslides. The east-facing slopes on the west side of the canyon are prone to landslides (Project Report, Caltrans 2006). Given that the proposed grading will occur in the canyon bottom and will not require excavation of the east facing slopes, the potential to encounter landslides is minimal.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact with Mitigation. Approximately 1.4 acres of soil will be affected as a result of the proposed improvements, and the potential exists for windborne and waterborne erosion and loss of topsoil due to this disturbance. Soil erosion and loss of topsoil will be minimized through compliance with SCAQMD Rules 402/403 and the National Pollutant Discharge Elimination System (NPDES) permit requirements. Please see responses 4.5(a) and 4.7(b) below for further information.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Impact. The geotechnical analysis conducted for FEIR No. 556 indicated that the project area does not include an unstable geologic unit or soil or have the potential to become unstable as a result

of the project. The proposed project will not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. See response 4.4(a)(iii) for more information on liquefaction and 4.4(a)(iv) for more information on landslides.

d) Be located on expansive soils, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?

Less Than Significant Impact. The proposed improvements are not located on expansive soils as defined in Table 18-1-B of the California Building Code and will not create substantial risks to life or property. According to the geotechnical analysis conducted for FEIR No. 556, the project area mostly contains soils of the Topanga formation, which in this area is mostly composed of hard, well cemented, indurated sandstone and is not considered to be expansive.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?

No Impact. The proposed project is a transportation project and does not propose the use of septic tanks or alternative wastewater disposal systems. Wastewater requiring the use of these wastewater disposal systems would not be generated by the project.

4.5 HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact with Mitigation. Short-term and long-term erosion and water quality impacts have the potential to occur.

Short-Term Impacts: During grading and construction of the highway, there will be an increased potential for short-term erosion and the transport of sediment to surrounding drainages. Erosion would occur as a result of surface soils being exposed during construction. The grading operation for the road would expose surface areas of unprotected soil to erosive forces for a temporary period, which would be alleviated after construction of the improvements and after landscaping of the area is complete.

Long-Term Impacts: The existing roadway facilities release pollutants into the downstream drainages, including Laguna Canyon Creek. Pollutants such as oil, grease, antifreeze, and other automobile- related chemical products are collected by roadway pavement during storm events and flushed into downstream drainages along with other roadside sediment.

The construction of the proposed roadway improvements will have little potential for substantially increasing pollutant levels in localized runoff. The surface area of the proposed paving is approximately 0.3 acre, which comprises one-tenth of one percent of the overall Laguna Canyon

Creek watershed. The proposed project will be required to comply with the requirement of the Caltrans Statewide National Pollutant Discharge Elimination Systems (NPDES) permit and Statewide Storm Water Management Plan (SWMP), since the improvements are located within State right-of-way.

Temporary and permanent erosion control measures will be implemented to limit the transport of sediment into Laguna Canyon Creek. Preparation of both an Erosion Control Plan and Storm Water Pollution Control Plan will be required by Caltrans prior to their approval of the PS&E. With implementation of Mitigation Measure 4.5-1, potential water quality impacts are considered less than significant.

Mitigation Measures

4.5-1 Prior to approval of the PS&E, an Erosion Control Plan and Storm Water Control Plan shall be prepared by RDMD pursuant to the requirements of Caltrans Statewide NPDES Storm Water Permit Order No. 99-06-DWO, NPDES No. CA5000003, Statewide Storm Water Management Plan (SWMP). The Erosion Control Plan and Storm Water Control Plan shall be submitted to Caltrans for its approval and ultimately incorporated into the contract design and specifications.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in acquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The study area is not within a principal groundwater basin; any reduction in groundwater recharge resulting from project implementation is considered minimal. Three hydrogeologic units underlie the Laguna Canyon Creek watershed (Laguna Canyon Creek runs through the project area). (FEIR 1993) One of the units, alluvial valley fill, underlies the mainstem of Laguna Canyon Creek. That formation is thought to provide a potential groundwater recharge. Recharge of the aquifer in this area is primarily by rainfall and surface runoff. Additional sources of recharge may be seepage from the lakes, with a minor contribution from the underlying confined aquifer. Given the limited area of additional impervious surfaces (approximately 0.3 acre), potential loss of groundwater recharge value is negligible (SR-133 Hydrology Report, HNtB 2005).

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact with Mitigation. The proposed improvements will create minimal new slopes or modify existing slopes, resulting in approximately 1.4 acres of disturbed area. However, the creation of new or modification of existing slopes will not alter the course of a stream or a river but will result in minor modifications to Laguna Canyon Creek. With implementation of the requirements of the Caltrans NPDES permits, potential erosion impacts due to construction and

operation of the proposed improvements are considered less than significant. With implementation of Mitigation Measure 4.5-1, which requires implementation of temporary and permanent erosion control measures, as outlined in the Caltrans NPDES permit and SWMP, the proposed improvements will not increase the potential sediment load of downstream flow over existing levels and may result in a net benefit since source controls are not present in the current roadway. See response 4.5(a) for more information regarding the NPDES permit (Project Report 2006).

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

Less Than Significant Impact. As described in the Project Report, the increase in flow from the proposed improvements due to the addition of approximately 0.3 acre of paved area within the watershed is less than one-tenth of one percent of the overall Laguna Canyon Creek watershed. One existing culvert crossing is expected to be lengthened on the downstream side to accommodate the widened shoulder. However, the existing storm drain system will not be modified, replaced, or upgraded. As described in the Project Report, this section of Laguna Canyon Road currently floods and will continue to flood during peak storm events. However, runoff will be no greater than existing levels due to the limited increase in impervious surface area.

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact with Mitigation. This section of Laguna Canyon Road currently floods and will continue to flood during peak storm events. The disturbed areas will be contained by siltation fences and other construction erosion control measures to protect downstream waters during construction. Permanent protection of the slopes will be accomplished through the use of appropriate vegetation. Details of both temporary and permanent erosion/slope protection will be developed and contained in the final plans, specifications, and estimate (PS&E) package as described in Mitigation Measure 4.5-1. However, runoff will be no greater than existing levels due to the limited increase in impervious surface area (approximately 0.3 acre or one-tenth of one percent of the total Laguna Canyon Creek watershed). Refer to response 4.5(a) for a discussion of the potential for increased pollutant runoff (Project Report 2006).

f) Have a significant adverse impact on groundwater quality or otherwise substantially degrade water quality?

Less Than Significant Impact with Mitigation. As described in 4.5(b), the amount of groundwater recharge is minimal, and any degradation of groundwater quality is negligible. Perched groundwater has the potential to be present from 4 to 14 feet based on the hydrology analysis conducted for FEIR No. 556. Compliance with treatment measures outlined in the Caltrans Statewide Permit and SWMP addressing perched groundwater during construction (Mitigation Measure 4.5-1, above) will ensure that potential effects to perched groundwater quality encountered during construction will be minimized.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The proposed project is a transportation project and does not involve the placement of housing.

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?

Less Than Significant Impact. According to the hydrology analysis conducted for FEIR No. 556, portions of the project are within the 100-year floodplain. As described in the Project Report, the portions of the project that are within the floodplain are entirely covered by the floodplain. The proposed project will not change existing flooding conditions along this section of Laguna Canyon Road, and any additional increase in flooding as a result of the proposed improvements is negligible. In fact, the added area of pavement required for this project is approximately 0.3 acre and is less than one-tenth of one percent of the overall Laguna Canyon Creek watershed, so the impact is negligible on the peak storm flow and 100 year floodplain (Project Report 2006).

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less Than Significant Impact. The risk of loss, injury or death involving flooding as a result of the proposed project will not change from the existing risks associated with this section of Laguna Canyon Road. No levees or dams currently exist within the study area. The proposed project will not substantially increase downstream flood levels over existing levels (Project Report 2006).

j) Inundation by seiche, tsunami, or mudflow?

No Impact. According to FEIR No. 556, the limited total volume and the perennial nature of the Laguna Lakes do not indicate a seiche potential within Laguna Canyon. Also, the Pacific Ocean is over 3 miles to the south, and the potential for tsunami is considered negligible. The potential for exposure to mud flows is negligible since the roadside will not be within the main drainage channel within the canyon (Laguna Canyon Creek).

4.6 TRANSPORTATION/CIRCULATION

Would the project:

a) Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Less Than Significant Impact with Mitigation. As the purpose of the project is to relieve existing and forecast congestion at the Laguna Canyon Road/El Toro Road intersection, the proposed project will not result in a substantial increase in traffic.

Existing and future traffic volumes for the design year 2025 are shown in Table 4.6.A. These existing forecasts are based on the Orange County OCTAM 3.1 traffic model base year 2025 (Project Report 2006). All arterial highway assumptions are consistent with the Orange County Master Plan of Arterial Highways, including the deletion of Aliso Creek Road between El Toro Road and SR-133. The project will not create any through traffic mainline capacity improvements; therefore, the "with project" traffic volumes are not expected to be changed from the "no project" traffic volumes. As shown in Table 4.6.A, the existing roadway operates satisfactorily.

Table 4.6.A: El Toro Road To SR-73 Traffic Conditions

	ADT	AM-NB/SB	LOS	PM-NB/SB	LOS
Existing	20,500	835/825	A/A	707/876	A/A
Proposed Project (2025)	26,000	1,015/875	A/A[1]	884/1,014	A/A[1]
No Project (2025)	26,000	1,015/875	A/A[1]	884/1,014	A/A[1]

Source: Project Report 2006.

There may be short-term traffic impacts during construction that will result in delays for motor vehicles and bicyclists on Laguna Canyon Road and adjacent roadways. Preparation of a Traffic Management Plan, as outlined in Mitigation Measure 4.6-1, will minimize potential conflicts between construction activities and general traffic. Mitigation measures outlined below will reduce these short-term impacts to less than significant.

Mitigation Measures

4.6-1 Prior to approval of the PS&E, the preparation of a Traffic Management Plan (TMP) by the Contractor shall be incorporated into the contractor specifications by RDMD Public Works. The TMP shall include measures to be implemented during construction that would minimize construction impacts to motorists and bicyclists and shall include the following components:

1. Providing at least one lane of travel in each direction, except for possible overnight closures.
2. Public Awareness Campaign.
3. Identification of alternative routes for motor vehicles and bicyclists during construction.

The TMP shall be submitted to RDMD Public Works for their review and approval and provided to the City of Laguna Beach 30 days prior to initiation of grading.

[1] 6Lane Capacity 1,700 vph.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. As demonstrated in Table 4.6.B, the Laguna Canyon Road/El Toro Road intersection currently exceeds the County's LOS intersection standard and is projected to worsen to LOS F in the A.M. peak hour in year 2025. With the proposed improvements, the Laguna Canyon Road/El Toro Road intersection will operate at an acceptable LOS C, established by the County of Orange standards. (Project Report 2006)

Table 4.6.B: Laguna Canyon Road/El Toro Road Intersection LOS

Intersection	AM Peak Hour	PM Peak Hour
Existing	0.94/LOS E	0.82/LOS C
Without Project	1.03/LOS F	0.88/LOS D
With Project	0.79/LOS C	0.88/LOS D

Source: Project Report 2006.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

No Impact. The proposed project is a roadway project and does not affect air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. Improvement of roadway geometrics, provision of standard shoulders, and undergrounding of utilities by others would reduce the potential of single car accidents by providing a consistent design speed, a shoulder recovery area, and the removal of roadside obstructions.

e) Result in inadequate emergency access?

No Impact. The proposed improvements will not change the existing condition of SR-133 but will provide a less congested intersection facilitating emergency access to and from the City of Laguna Beach during peak hours. However, during times of flooding, the existing conditions will not change on SR-133, and a potential for roadway closures will remain (Project Report 2006).

f) Result in inadequate parking capacity?

No Impact. No parking is permitted on this portion of Laguna Canyon Road.

g) Conflict with adopted policies, plan or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The proposed project does not affect adopted policies supporting alternative transportation. The proposed project supports alternative transportation by including Class III bicycle lanes in the design of the improved roadway. The proposed project would not directly affect bus routes. Connectivity between local arterials to existing on-road and planned off-road bicycle trails in the Laguna Canyon Wilderness Park will be enhanced by the project.

4.7 AIR QUALITY

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The proposed improvements do not change capacity and will not affect regional air quality. Local carbon monoxide (CO) levels will be reduced due to improvement in level of service at the El Toro Road/Laguna Canyon Road intersection (Project Report 2006).

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact with Mitigation. As the proposed project does not increase vehicle trips on Laguna Canyon Road, there will be no effect on regional air quality. There will be a net benefit on local CO levels, as described in 4.7(a).

Clearing and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces would generate fugitive dust during construction. Once construction activities are completed, no further pollutant emissions would occur. The County must comply with dust control and other measures prescribed by SCAQMD Rule 403 to ensure that short-term construction impacts are minimized. In order to ensure that emissions are minimized, the County would include the following standard conditions prescribed by SCAQMD Rule 403 that are intended to control fugitive dust:

- Fugitive dust shall be controlled through the use of a watering truck as necessary and/or the use of an environmentally safe chemical dust suppressant. Controls shall be applied to all on-site, unpaved roads and ramps, stockpile areas, actively excavated or exposed sites, and areas that may be temporarily inactive but include exposed (i.e., denuded or devoid of vegetation) or disturbed surfaces.
- Moisten soil and debris not more than 15 minutes prior to excavation or movement.
- Apply environmentally safe chemical stabilizers to disturbed surface areas (i.e., graded areas or areas subject to erosion from wind or water) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
- Water exposed surface areas at least twice per day under calm conditions or as often as needed on windy days or during dry weather in order to maintain a surface crust and prevent the release of visual emissions of dust from the construction site.

- Cease grading operations when wind speeds exceed 25 miles per hour if dust is being generated and cannot be controlled by watering alone.
- Provide street sweeping as needed on adjacent roadways to remove dirt, mud, and/or debris dropped from construction vehicles entering or leaving the site.
- Maintain a minimum of two feet of freeboard capacity on all trucks hauling dirt, debris, and/or construction materials to and from the site.
- All trucks hauling dirt, debris, and/or construction materials to and from the project site should be tightly covered with a tarp.
- Mobile heavy equipment (e.g., bull dozers, haul trucks) on unpaved surfaces should be limited to an on-site speed that avoids fugitive dust impacts off site, as determined by the County Project Engineer.

Incorporation of these measures, as determined applicable to the specific nature of the construction activities, would ensure that the fugitive dust generation would be less than significant.

Emissions from construction vehicles/equipment are not expected to be large enough to produce measurable changes in ambient pollutant concentrations on a regional scale. However, clusters of vehicles/equipment operating or idling in a small area may result in elevated levels of CO or nitrogen dioxide (NO_2) standards and are considered less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

Less Than Significant Impact with Mitigation. See response 4.7(a) and 4.7(b) above.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. See response 4.7(a) and 4.7(b) above. Sensitive receptors adjacent to the project area are limited to park users. One school, Anneliese's School, is located approximately 300 feet south of the intersection of SR-133 and El Toro Road. These sensitive receptors would benefit from improved operation of the intersection, which results in reduced CO emissions.

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. The proposed improvements will not create objectionable odors affecting a substantial number of people. The proposed project will help improve traffic safety and congestion and would reduce the air pollution associated with congested roadways.

4.8 NOISE

Would the project:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. The proposed improvements will not change the operational characteristics of the roadway except at the SR-133/El Toro Road intersection. Sensitive land uses in the area are limited to park users and Anneliese's School. Modifications at the intersection do not move vehicles substantially closer to those sensitive receptors, and any increase in noise is considered negligible. Construction activities may be noisy but will be required to conform to the County noise control ordinance, which limits hours of construction. (See 4.8(d), below.)

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Less Than Significant Impact. Bulldozers and other heavy-tracked construction equipment generate approximately 92 VdB of groundborne vibration when measured at 50 feet, based on Transit Noise and Vibration Impact Assessment (FTA, April 1995). This level of groundborne vibration exceeds the threshold of human perception, which is around 65 VdB. Based on the California Department of Transportation's Transportation Related Earthborne Vibration, Technical Advisory (Rudy Hendricks, July 24, 1992), the vibration level at 100 feet is approximately 6 VdB lower than the vibration level at 50 feet, or more than 12 VdB lower than the vibration level at 50 feet. Therefore, receptors at 100 and 200 feet from the construction activity may be exposed to groundborne vibration up to 86 and 80 VdB, respectively. There is one permanent sensitive receptor (Anneliese's School) south of the project area. However, this receptor is located approximately 300 feet from the proposed improvements and will not be substantially affected. No excessive groundborne vibration or groundborne noise beyond existing levels is anticipated to result from the implementation of the proposed improvements.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. As illustrated in Table 4.6.A, the Average Daily Traffic (ADT) on Laguna Canyon Road between El Toro Road and SR-73 will remain the same with or without the project. The proposed improvements provide a more efficient route for this traffic, and any permanent increases above existing ambient noise levels are expected to be negligible. Refer to 4.8(a) for a description of impacts at the intersection of SR-133 and El Toro Road.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. The operation of construction equipment will result in the generation of both steady and episodic noise significantly above the ambient levels currently experienced near

the noise-sensitive area closest to the project site (Anneliese's School, Laguna Coast Wilderness Park, and Aliso and Wood Canyons Wilderness Park). The County of Orange has adopted, as part of its Noise Ordinance, limits on the hours of construction and excavation work. The County of Orange Noise Ordinance limits any construction-related activity to the hours of 7:00 a.m. to 8:00 p.m., daily except Sundays and federal holidays. Compliance with the County's Noise Control Ordinance would ensure that short-term construction-related noise impacts resulting from the proposed project would be minimized.

e) For a project within an airport land use plan or, where such plan has not been adopted, within two miles of a private or public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed project is not located within an airport land use plan or within two miles of any airport. The El Toro Marine Corps Air Station, located approximately two miles north of the project site, was closed for military use in July 1999. The nearest operating airport, John Wayne Airport, is located approximately seven miles northwest of the project area (USGS 7.5' Quad, Laguna Beach).

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working the project area to excessive noise levels?

No Impact. According to the Laguna Beach USGS 7.5' Quadrangle, the proposed project is not located within the vicinity of a private airstrip.

4.9 BIOLOGICAL RESOURCES

The information summarized below is based on information in the Biological Resources Report prepared for the proposed project. This report is found in its entirety in Appendix A.

Construction activities will remove all of the vegetation species within the areas to be cleared. Table 4.9.A identifies existing vegetation communities within the grading limit.

Table 4.9.A: Existing Vegetation Communities within the Grading Limit

Vegetation Community	Existing (Acres)	Impacted (Acres)
Coyote Brush Scrub (2.3.9)	0.02	0.02
Annual Grassland (4.1)	0.06	0.06
Alkali Meadow (5.2)	0.01	0.01
Willow Riparian Scrub/Mulefat Scrub (7.2/7.3)	0.12	0.12
Mulefat Scrub (7.3)	0.04	0.04
Arroyo Willow Riparian Forest (7.6)	0.24	0.24
Ornamental Landscaping (15.5)	0.14	0.14
Ruderal (4.6)	0.02	0.02
Disturbed or Barren (16.1)	0.52	0.52
Coast Live Oak Woodland (8.1)[1]	< 0.0002	< 0.0002
Freshwater Marsh (6.4)	0.001	0.001
Total	1.17	1.17

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?

Less Than Significant Impact with Mitigation. Sensitive habitats, associated species, and the project potential effects are described below.

Sensitive Plant Species

- Southern spikeweed *(Centromadia parryi* ssp. *Australis)* previously occurred in the project area but has not been observed within the project limits since preliminary botanical surveys conducted in the early 1990's. Potential grading impacts to this species are considered negligible.

Sensitive Coastal Sage Scrub Species. The loss of coastal sage scrub (CSS) habitat types would constitute a reduction in the habitat available for the following sensitive species known to occur in the study area:

- Coastal California gnatcatcher *(Polioptila californica californica)*
- Southern California rufous-crowned sparrow *(Aimophila ruficeps canescens)*
- Grasshopper sparrow *(Ammodramus savannarum)*

[1] Coast live oak woodland occurs immediately adjacent to the Project Area, and encroachment into the dripline of existing oak trees may occur.

- Coastal cactus wren *(Campylorhynchus brunneicapillus)*
- Northern red-diamond rattlesnake *(Crotalus ruber ruber)*
- San Diego horned lizard *(Phrynosoma coronatum blainvillei)*
- Orange-throated whiptail *(Cnemidophorus hyperthrus beldingi)*
- Coastal western whiptail *(Cnemidophorus tigris multiscutatus)*
- San Diego black-tailed jackrabbit *(Lepus californicus bennettii)*
- San Diego desert woodrat *(Neotoma lepida intermedia)*

Given the small amount of CSS (0.02 acre) to be removed by the proposed project and the degraded condition of this habitat due to its proximity to existing Laguna Canyon Road, impacts to sensitive species utilizing coast sage scrub are considered less than significant. With implementation of Mitigation Measure 4.9-1, potential impacts to these species would be minimized.

Sensitive Riparian Species

The proposed project will result in the removal of wetland and riparian habitat, including mulefat and willow scrub primarily along the drainage. This loss would constitute a reduction in the habitat available for the following sensitive species known to be present in the study area:

- Least Bell's vireo *(Vireo bellii pusillus):* not observed within the project boundaries during focused surveys (1997 and 2003); however, there is a potential for the species to occur within suitable habitat on site during the breeding season.
- Willow flycatcher *(Empidonax traillii):* see above response for least Bell's vireo (focused surveys conducted in 1997 and 2003).
- Western spadefoot (*Scaphiopus hammondii)*
- Cooper's hawk *(Accipiter cooperii)*
- Yellow warbler *(Dendroica petechia)*
- Yellow-breasted chat *(Icteria virens)*
- Two-striped garter snake *(Thamnophis hammondii)*
- Tricolored blackbird *(Agelaius tricolor)*

The potential long-term project impacts on these species are minimized due to the following conditions and mitigation requirements:

- Several of these species are not considered regular member of the local fauna
- The great majority of the existing contiguous wetland and riparian habitat in the study area will be preserved
- Replacement of wetland vegetation at a minimum ratio of 1:1 either on site or in the vicinity of the project will result in no net loss of habitat value in the project vicinity (further described in Response 4.9(b)) below.

- This habitat area does not presently support any populations considered important to maintaining these species in the County
- The species that have actually been observed in the habitat are not considered endangered or imminently threatened
- The possibility that any of the sensitive amphibians or reptiles actually occur in the area is remote

In consideration of the above conditions and with implementation of Mitigation Measure 4.9-1, which requires replacement of impacted wetland vegetation, potential direct impacts to riparian species are considered less than significant.

Construction Activities

Construction activity may result in short-term noise and other proximity effects. In addition to the known raptor nest near the El Toro and Laguna Canyon Road intersection, nesting activities of sensitive bird species could potentially be affected in areas adjacent to the proposed construction zone. At least four resident sensitive bird species (coastal California gnatcatcher, Southern California rufous-crowned sparrow, grasshopper sparrow, and coastal cactus wren) and potentially two other species (Least Bell's vireo and Willow flycatcher) could potentially be affected. These impacts would be minimized by monitoring and, if necessary, curtailing activities in the vicinity of active nests and/or dens during the nesting season (March—July). Provision of a construction monitor and implementation of mitigation measures designed to protect natural resources during construction activities, as outlined in Mitigation Measure 4.9-1, avoid or minimize construction impacts associated with the project. Therefore, the construction and operation of the proposed project, after mitigation, will have no net adverse impact on sensitive bird species within the project study area.

Mitigation Measures

4.9-1 **HMMP.** Prior to approval of the PS&E for the proposed project, a Habitat Mitigation and Monitoring Program (HMMP) shall be prepared by a qualified biologist and submitted to the Director, RDMD, or designee, the Army Corps of Engineers, Department of Fish & Game, and NROC for review and approval. The HMMP shall also be submitted to U.S. Fish & Wildlife Service for its consideration, but no approval is required. The requirements of the HMMP shall be incorporated into the PS&E package provided to the contractor. The HMMP shall address potential impacts to all natural communities within the project area and shall include but not be limited to the following measures to avoid, minimize, or mitigate potential direct and indirect project effects and to comply with the minimization measures identified in the NCCP/HCP:

- Assessment and monitoring of oak trees adjacent to the work area shall be performed by a Certified Arborist consistent with the requirements of Mitigation Measure 4.9-3. Removal of oaks shall be compensated by replacement at a 10:1 ratio. Mitigation for replacement of oaks shall be consistent with the requirements of Mitigation Measure 4.9-3.
- Impacted jurisdictional waters/wetlands shall be replaced at a minimum 1:1 ratio. The mitigation plan for replacement of impacted jurisdictional waters/wetlands shall be prepared by a qualified biologist. The mitigation plan shall provide for

replacement of impacted habitat values through restoration of wetland and riparian habitat and shall be provided to the Corps and CDFG for review and approval. Any conditions set forth in the Nationwide 404 Permit issued by the Corps and/or in the Streambed Alteration Agreement issued by the CDFG and obtained in compliance with Mitigation Measures 4.9-2, 4.9-4, and 4.9-5 shall be incorporated into the HMMP.

- Temporary impacts to coastal sage scrub shall be revegetated in accordance with the requirements of the NCCP/HCP.
- Permanent and temporary erosion control measures identified for the project shall be incorporated and refined, as necessary, to minimize erosion of soils from construction activities and deposition of soil or sediment in off-site areas, especially in the vicinity of the riparian/wetlands areas associated with Laguna Canyon Creek. Any conditions set forth in the 401 Certification issued by the Regional Water Quality Control Board and obtained in compliance with Mitigation Measure 4.9-6 shall be incorporated into the HMMP.
- A qualified biological monitor shall be retained to ensure compliance with the measures identified in the HMMP.
- All known locations of sensitive bird species associated with coastal sage scrub and riparian habitats within 100 feet of the grading limits shall be mapped on the grading plan to facilitate avoidance during construction.
- The Corps, USFWS, CDFG and Nature Reserve of Orange County (NROC) shall be conferred with regarding the design and location of the project to mitigate and minimize impacts on coastal sage scrub, oak woodland, and wetland riparian habitat and associated species.
- The project biologist shall ensure that the contractor has roped or fenced the grading boundaries prior to initiation of vegetation removal.
- The USFWS and CDFG shall be notified seven days prior to clearing of coastal sage scrub.
- Preconstruction meetings shall be conducted with the biological monitor, construction supervisors, and equipment operators to ensure maximum practicable adherence to the HMMP measures.
- Vegetation removal shall not occur during the primary nesting season for local birds (January−August) where oak woodlands, wetlands, and coastal sage scrub or associated subtypes occur on or adjacent to the proposed project. If vegetation removal must occur in these areas during this period, then preconstruction surveys shall be conducted in the appropriate habitats within and up to 100 feet from the project boundary to identify nesting birds within or adjacent to the proposed project. If active nests are observed within or adjacent to the project boundary, then a 100-foot buffer is required until either the young have fledged or the nest becomes inactive. In addition, a preconstruction survey shall be conducted within the project boundary and a 100-foot buffer for sensitive species.
- Clearing of vegetation within or immediately adjacent to coastal sage scrub and riparian habitats mapped within the study area shall be monitored by a qualified

biologist. Flushing or capture and relocation of any NCCP Identified or other sensitive species found within this vegetation shall also be conducted by the monitor during these activities.

- On-going monitoring of the project area shall be conducted by the biological monitor, following vegetation clearing, to ensure that the construction is confined to the grading limit specified in the PS&E package.
- All monitoring activities shall be conducted consistent with the NCCP/HCP minimization measures.
- A dust control program shall be established to minimize damage to native trees and shrubs due to dust covering their leaves.
- Waste dirt or rubble shall not be deposited on or adjacent to existing coastal sage scrub or riparian vegetation that is not affected by project construction.
- Vehicle transportation routes between cut and fill locations shall be kept to a minimum, consistent with the project construction requirements. It is anticipated that all construction will be done from the existing road.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact with Mitigation. The CDFG and the Corps (with input from the Environmental Protection Agency and the USFWS) are charged with implementing regulatory policies to achieve no net loss of wetland habitat and no net reduction in habitat values. The proposed project has the potential to impact waters of the United States (US), including wetlands, that are under the jurisdiction of the Corps of Engineers (Corps) and the California Department of Fish and Game (CDFG) and oak trees that are protected by the County. Each of these sensitive natural communities is described below.

Jurisdictional Waters

Grading and construction of the project would result in the permanent removal or displacement of approximately 0.39 acre of wetlands under Corps and CDFG jurisdiction and an additional 0.2 acre of riparian habitat subject to CDFG jurisdiction.

The nature and extent of habitat replacement is determined on a case-by-case basis with the Corps and CDFG, but at a minimum a 1:1 replacement ratio is required. Generally, habitat replacement ratios exceed 1:1 in order to compensate for the gradual nature of revegetation and off-site habitat replacement. Removal of wetlands and not-wetland jurisdictional waters will require a permit from the Corps and CDFG. As part of this permit, replacement of impacted waters will be required and a Wetland Mitigation Plan prepared demonstrating replacement of affected waters.

A wetland/riparian mitigation site has been identified encompassing approximately 7.6 acres in the southeast quadrant of the Laguna Canyon Road/El Toro Road intersection within the AWCRP (Figure 2.4). Table 4.9.B identifies the types of habitat and acreage within the mitigation site. As described in

Section 2.2, (Project Description) it consists of an existing wet meadow, small creek channels, and willow riparian scrub. The area has become degraded and has been invaded by several weed species, most notably Harding grass *(Pharlaris aquatica),* a California Invasive Plant Council (CAL IPC) List B species. The mitigation area presents the opportunity to restore the biological value of the meadow and includes areas appropriate for restoration of wetland and riparian habitats.

Table 4.9.B: Existing Vegetation Communities within the Mitigation Area

Vegetation Community	Existing Acres)
Arroyo Willow Riparian Forest (7.6)	1.94
Ruderal Wet Meadow (5.5)	2.57
Ruderal Grassland (4.6)	2.92
Freshwater Marsh (6.4)	0.17
Total	7.60

The proposed mitigation involves the removal of Harding grass, tall wheatgrass *(Elytrigia pontica* ssp. *pontica),* poison hemlock *(Conium maculatum),* wild radish *(Raphanus sativa),* and other nonnative species from the site, followed by the planting and seeding of native wetland/riparian species. The site would then be maintained and monitored according to the mitigation requirements of the associated regulatory permits.

The final mitigation ratios will be determined in consultation with the Corps and CDFG as part of the permitting process. A Wetland Mitigation Plan will be prepared that identifies the location and replacement strategy for vegetation. This plan will be approved by the Corps and CDFG prior to issuance of a Nationwide 404 Permit or Streambed Alteration Agreement, respectively, as described in Mitigation Measures 4.9-5 and 4.9-6.

Additionally, the plan will be submitted to the Regional Water Quality Control Board for its review as part of the issuance of a Section 401 Certification. The Plan will include measures to ensure that erosion control measures have been incorporated into the design of the mitigation site and as part of construction to minimize potential impacts to downstream water quality. Enhancing the existing wetland/riparian vegetation within the mitigation area will improve the site's function as a wet meadow, allowing for enhanced uptake of nutrients, a water quality benefit.

With implementation of Mitigation Measures 4.9-2, 4.9-5, 4.9-6, and 4.9-7, potential impacts to jurisdictional waters have been reduced to below the level of significance.

Oak Trees

A comparison of the design plans for the proposed project and oak tree locations shown in the Oak and Sycamore Tree Inventory Report (Tree Location Map, February 1993) shows that approximately nine oak trees, adjacent to the eastern grading limit for the proposed project, may be indirectly impacted by the proposed project due to encroachment into the dripline of the tree. Evaluation of the trees and development and implementation of a monitoring program will ensure that potential indirect effects to the health of the existing oak trees adjacent to the project area are adequately evaluated.

With implementation of Mitigation Measure 4.9-3, potential indirect effects to nine oak trees are reduced to below the level of significance.

If removal of any oak trees are required to construct the proposed project, compliance with the County's oak tree replacement policy is required. The County requires a mitigation ratio of 10:1 for impacted oak trees. If removal of all nine of the oak trees was required to construct the project, replacement of 90 oak trees would be required. Based on the size of the wetland/riparian mitigation area (7.6 acres), presence of oaks on this site, and adjacency to oak woodland habitat within Aliso/Wood Canyons Regional Park, there is adequate space available for the planting of replacement oak trees should these resources be removed. With implementation of Measure 4.9-4, which requires tree replacement, potential direct impacts to oak trees would be reduced to below the level of significance.

Mitigation Measures

4.9.2 **Wetland/Riparian Mitigation Plan.** Prior to approval of the PS&E package, a Wetland Mitigation Plan shall be prepared by a qualified biologist and submitted to the Director, RDMD, or his designee for their review. The Plan shall be submitted to the Corps, CDFG, and NROC for their review and approval. The plan shall include, but not be limited to, identification of the location of the mitigation area, planting plan, plant palette and specifications for construction, and maintenance and monitoring of the mitigation site. Any refinements to the Plan identified by the Corps, CDFG, or NROC shall be incorporated into the plan. The Final Wetland Mitigation Plan shall be incorporated into the HMMP.

4.9.3 **Oak Trees.** Prior to approval of the PS&E package, an Oak Tree Monitoring and Protection Plan shall be prepared to address potential construction and long-term impacts to oak trees adjacent to the proposed project. The Plan shall be prepared by a licensed arborist and shall be reviewed and approved by the Director, RDMD, or designee. The Plan shall include an assessment of the existing health and recommendations for monitoring affected trees during and after construction. Provisions shall be included in the plan that address mitigation of oaks that are adversely affected by construction at a 10:1 ratio. Replacement of oaks shall first be considered by RDMD within the wetland mitigation area identified for the proposed project.

4.9.4 **Oak Trees**. Prior to approval of the PS&E package or during construction, an Oak Tree Mitigation Plan shall be developed if it is determined that the proposed construction activities would require the removal of oak trees. The Plan shall be prepared by a licensed arborist and approved by the Director, RDMD, or designee. The Plan shall provide for a 10:1 mitigation of impacted oak trees and identify the location for replacement of the oaks. Replacement of oaks by RDMD shall first be considered within the wetland mitigation area identified for the proposed project. Provisions for maintenance and monitoring of the replacement oaks by RDMD shall also be included in the Plan.

4.9.5 **404 Permit.** Prior to approval of the PS&E package, a Nationwide 404 Permit shall be obtained by RDMD from the Corps of Engineers. The terms and conditions of the Permit shall be incorporated into the Final Wetland Mitigation Plan and the HMMP.

4.9.6 Streambed Alteration Agreement. Prior to issuance of the PS&E package, a Streambed Alteration Agreement shall be obtained by RDMD from CDFG. The terms and conditions of the Agreement shall be incorporated into Final Wetland Mitigation Plan and the HMMP.

4.9.7 401 Certification. Prior to issuance of the PS&E package, a Section 401 Certification or waiver, whichever is applicable, shall be obtained by RDMD for the Regional Water Quality Control Board. The terms and conditions of the Certification or Waiver shall be incorporated into the Final Wetland Mitigation Plan and the HMMP.

c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact with Mitigation. As described above, approximately 0.39 acre of delineated jurisdictional waters meet all three parameters required to qualify as jurisdictional wetlands under Section 404 of the Clean Water Act. Please refer to response 4.9(b) for further discussion of impact to federally protected wetlands and mitigation proposed.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. The existing road has historically hindered wildlife movement between open space areas on the east and west sides of the road, thereby resulting in various wildlife population impacts. This existing impact will continue with the proposed project. However, the proposed road improvements within the study area are limited and do not further inhibit wildlife movement beyond existing conditions. Therefore, the proposed project will not increase the impact to wildlife movement within the area.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact with Mitigation. Although the County of Orange does not have an oak tree ordinance, the County General Plan recognizes the need for oak woodland areas by adopting an oak resources management program, which requires preserving valuable oak woodland areas through regional park and open space acquisitions. This program involves the examination of additional mechanisms to preserve and maintain oak resources. As described above, the proposed project would potentially encroach on the dripline of nine oak trees located adjacent to the eastern side of the roadway. With implementation of Mitigation Measure 4.9-3, potential indirect effects to oak trees adjacent to the project area would be mitigated to below a level of significance. Additionally, if removal of oaks is identified during final design or during construction, Mitigation Measure 4.9-4 requires preparation and implementation of an Oak Tree Replacement Plan, which includes replacement of impacted oaks at a 10:1 ratio. With implementation of this mitigation

measure, direct impacts to oak trees would be reduced to below a level of significance. Please refer to response 4.9(b) for a further discussion of the oak tree replacement component of that plan.

f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant Impact with Mitigation. The study area is within the coastal portion of the Central/Coastal NCCP/HCP, which allows take of covered species under prescribed circumstances. Take of CSS is anticipated by the NCCP as it is associated with planned activities, and as long as the policies and criteria of the NCCP are followed in locating the facility, the NCCP fully mitigates impacts to this sensitive habitat type. The minimization measures available, and the County of Orange's participation in the NCCP process, serve to minimize impacts to CSS.

The CDFG and USFWS issued a joint memorandum on March 17, 1995, that found "within the context of the approved subregional NCCP, it is neither necessary nor appropriate to attempt to determine the level of significance of CSS impacts on a project by project basis if the project is consistent with the approved subregional or subarea NCCP and associated Implementing Agreement." With implementation of Mitigation Measure 4.9-8, the proposed project would meet the impact minimization and consultation requirements identified in the NCCP/HCP, and potential impacts to habitats and species covered by the NCCP/HCP are considered less than significant.

Mitigation Measures

4.9-8 Prior to approval of the PS&E package, RDMD Public Works shall request use of 0.1 acre of the Central Coastal NCCP/HCP take authorization from the Director, RDMD, or designee. Documentation shall be provided with this request that identifies the location and total amount of coastal sage scrub impacted and the HMMP identifying compliance with the minimization measures identified in the NCCP/HCP. Approval of this request by the Director shall be incorporated into the specifications for the proposed project.

4.10 AESTHETICS

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. Relocation of overhead utilities to underground conduits provided by the project will eliminate an urban use from the viewshed within Laguna Canyon Road and improve the rural quality of the views along Laguna Canyon Road. Proposed improvements at the SR-133/El Toro Road intersection would require removal of several large trees in the southeast quadrant of the intersection. These trees are all nonnative species, but due to their size, they enhance the rural character of the adjacent Aliso/Wood Canyons Wilderness Park. Removal of these trees would be accomplished consistent with the County tree replacement policy of 10:1 within Aliso/Wood Canyons Wilderness Park or the adjacent Laguna Coast Wilderness Park at the discretion of RDMD—Harbors, Beaches, and Parks. With implementation of Mitigation Measure 4.10-1, potential visual effects to

Aliso/Wood Canyons Wilderness Park associated with the loss of mature nonnative trees would be reduced to below levels of significance.

Mitigation Measure

4.10-1 Prior to approval of the PS&E package, RDMD—Public Works shall prepare a Tree Preservation/Replacement Plan that identifies mature nonnative trees potentially affected by the proposed project and locations for appropriate replacement plantings. The Replacement Plan shall include measures to be undertaken to protect existing trees that are adjacent to the grading limits and identify the location of replacement planting of trees directly impacted by the project within either Laguna Coast Wilderness Park or Aliso/Wood Canyons Wilderness Park. The final replacement location shall be approved by RDMD—Harbors, Beaches, and Parks. The tree protection/replacement plan shall be included in the PS&E package.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. Laguna Canyon Road is not designated a State Scenic Highway (EA/FONSI 2001).

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

No Impact. Refer to response 4.10(a) above.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Night lighting of the proposed project facilities has the potential to result in negative aesthetic impacts due to spillover effects of illuminating darkness associated with rural areas. However, the proposed project does not propose night lighting of the facility. Safety lighting at the SR-133/El Toro Road intersection already exists and will remain in place (Project Report 2006). Daytime glare would be no greater than currently exists. Lights from vehicles traveling at night would continue to occur on Laguna Canyon Road similar to current conditions.

4.11 CULTURAL/SCIENTIFIC RESOURCES

Would the project result in:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less Than Significant Impact with Mitigation. No previously recorded sites are located within the project area (Historic Property Survey Report, 1997, and LSA 2005). In FEIR No. 556, two recorded

sites (CA-ORA-315 and the Howe Homestead) are located within one-half mile of the project site and will not be impacted. However, there is a potential for encountering subsurface or otherwise unknown cultural deposits during construction. Implementation of Mitigation Measure 4.11-1 will ensure that impacts to unknown historical resources encountered during construction activities are adequately addressed and are reduced to below the level of significance.

Mitigation Measures

4.11-1 Prior to approval of the PS&E package, retention of an Orange County Certified Archaeologist by the contractor shall be incorporated into the contractor specifications by RDMD Public Works. The archaeologist shall be present at the pregrading conference, and shall establish procedures for temporarily halting or redirecting work if unrecorded archaeological resources are discovered during grading to permit the sampling, identification, and evaluation of archaeological materials as appropriate. The cultural resource management program will include resource monitoring during project grading of archaeologically sensitive sediments to ensure that unidentified cultural resources are not affected by the proposed undertaking. If archaeological materials are identified during construction, standard professional archaeological practices shall be initiated to characterize the resource and mitigate any impacts to those resources. Included within this program will be the development of a curation agreement for the permanent care of materials collected from the project. This agreement would be negotiated with a suitable repository. The specification language shall be submitted to the RDMD Planning and Development Department for its review and approval.

b) Cause a substantial adverse changed in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant with Mitigation. See response 4.11(a) above.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact with Mitigation. According to FEIR No. 556, paleontologic localities were not recorded in the study area. It has been noted that invertebrate fossil collecting had occurred in the study area. The study area contains geologic formations of the Topanga Formation, which has previously yielded important scientific information. Based on review of the study area's geology, there is a high potential impact on the region's paleontology from project grading. However, with the implementation of the mitigation measure listed below, the impacts will be reduced to below the level of significance.

Mitigation Measure

4.11-2 Prior to approval of the PS&E, retention of a qualified paleontologist to monitor all excavation activities shall be incorporated into the contractor specifications by RDMD Public Works. The monitor shall be equipped to salvage fossils as they are unearthed, to

avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. If paleontological resources are discovered, these shall be prepared to a reasonable point of identification, including washing of sediments to recover small fossil vertebrates. Such specimens shall be identified and curated at a museum repository with retrievable storage. A report of findings shall be prepared with an appended, itemized inventory of specimens. The report and inventory, when submitted to the County of Orange repository for paleontological resources, signifies completion of the measure to mitigate impacts to paleontologic resources. The specification language shall be provided to the RDMD Planning Development Department for its review and approval.

d) Disturb any human remains, including those interred outside of formal cemetaries?

Less Than Significant Impact with Mitigation. During construction, the potential exists to encounter human remains. However, with implementation of the mitigation measure stated below, the potential impact related to the discovery of human remains will be reduced to below a level of significance.

Mitigation Measure

4.11-3 Prior to approval of the PS&E, the contract specifications shall include a provision that if human remains are encountered during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Orange County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified for a determination of Most Likely Descendent (MLD). The MLD will be given the opportunity to become involved with final disposition of the remains following scientific analysis. RDMD Public Works shall provide the specification to RDMD Planning and Development Department for its review and approval.

4.12 RECREATION

Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The existing roadway within the project area provides access for two wilderness parks described below:

Laguna Coast Wilderness Park (LCWP): The primary use of this park is for habitat preservation and passive recreation i.e., interpretation and trail use. In September 1998, a General Development Plan (GDP) for the LCWP was approved. This GDP provides guidelines for all future design and

construction within the LCWP. Recreational use in the park includes hiking, mountain biking, equestrian uses, and picnicking. The future Laurel Canyon staging area is located on the southbound side of SR-133 just north of the SR-133/El Toro Road intersection. The staging area will primarily function as a trailhead (multi-use to be constructed) and interpretive opportunity. A multi-use trail is proposed within the Laguna Coast Wilderness Park General Development Plan and will be located south of El Toro Road on the northbound side and leading from SR-133. Picnicking will be accommodated through the provision of picnic tables, a drinking fountain, parking, an equestrian hitching post and an information kiosk. A parking area for approximately 50 cars is proposed for this staging area. A proposed multi-use trail is located on the northbound side of SR-133 paralleling El Toro Road. In addition, an existing multi-use trail leads from SR-133 to the proposed trail paralleling El Toro Road. All trails will utilize existing trails and truck roads with minimal new trail development to provide linkages (Laguna Coast Wilderness Park General Development Plan, 1998). Implementation of the proposed project will not have a direct effect on the park. However, the project will indirectly benefit LCWP by providing safer bicycle access to the staging area.

Aliso and Wood Canyons Wilderness Park (AWCWP): The primary use of this park is to preserve natural open space and only hiking, mountain biking, and equestrian uses are allowed. The intersection of Laguna Canyon Road/El Toro Road forms the western boundary of the park. The proposed El Toro Gateway identified in the AWCWP General Development Plan abuts El Toro Road and will be used as hiking and equestrian trail head staging areas. The plans for the El Toro Gateway also make provisions for a wildlife corridor. The future Wood Canyon Regional Riding and Hiking Trail is proposed to cross Laguna Canyon Road and continue approximately 700 feet north to join the Irvine Coast trail (Aliso and Wood Canyons Wilderness Park Draft General Development Plan, 1991). Currently, there are no detailed plans for the El Toro Gateway staging area that show the location of future staging or trail facilities. There is the potential that future recreational uses could be affected by the intersection improvements and/or the proposed wetland mitigation area. Coordination with RDMD—Harbors, Beaches, and Parks during final design of the intersection improvements and wetland mitigation plan, as outlined in Mitigation Measure 4.12.-1, will ensure that future planned recreational facilities within AWCWP are not precluded. **The proposed improvements would be constructed within easements to be provided for roadway purposes [UPDATE].** With implementation of Mitigation Measure 4.12-1, potential impacts to the Aliso and Wood Canyons Wilderness Park would be reduced to below levels of significance.

Mitigation Measure

4.12-1 Prior to approval of PS&E, RDMD—Public Works shall consult with RDMD—Harbors, Beaches, and Parks during preparation of the final design plans for the SR-133/El Toro Road intersection and the wetland mitigation site to ensure that adequate protection of future recreational facilities within the AWCWP has been incorporated into the plans.

b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

No Impact. The proposed improvements include Class III bicycle facilities within a standard shoulder. Potential environmental effects of the project are evaluated in this IS/MND. No

construction/expansion of other recreational facilities, such as the Laguna Coast Wilderness Park or the Aliso and Wood Canyons Wilderness Park will be required due to the proposed improvements.

4.13 MINERAL RESOURCES

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. As shown in the Resources Element of the County of Orange General Plan, the proposed improvements are not located within an area of known mineral resources, either of regional or local value.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. Refer to response 4.13(a) above.

4.14 HAZARDS

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed improvements would not create a hazard to the public or the environment due to transport, use, or disposal of hazardous materials. Traffic using SR-133 through the project area may include vehicles that are transporting hazardous materials or waste; however, the project would expose the public to no greater risk of an accidental explosion or release of hazardous substances than occurs today.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No Impact. Refer to response 4.14(a) above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. A private elementary school (Anneliese's School) is located approximately 300 feet south of the intersection of SR-133 and El Toro Road. However, the proposed improvements do not increase capacity and would expose the public to no greater risk of hazardous emissions or hazardous materials than exists today or on any conventional highway.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. A Supplemental Initial Site Assessment Letter Report was prepared in December 2003 to examine the study area for hazardous waste issues that would impact the project. The Supplemental ISA determined, through review of archival data and a site reconnaissance, that there are no hazardous waste sites that would impact the proposed project.

Implementation of improvements may require the removal and disposal of yellow traffic striping and pavement marking materials (paint, thermoplastic, permanent tape, and temporary tape). Yellow paints made prior to 1995 may exceed hazardous waste criteria under Title 22, California Code of Regulations, and require disposal in a Class I disposal site. Compliance with Caltrans Construction Program Procedure Bulletin 99-2 (CPB 99-2), which requires testing and removal of yellow traffic striping, will ensure that potential hazardous waste impacts related to yellow traffic striping are minimized.

e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not located within two miles of a public airport or public use airport. The El Toro Marine Corps Air Station (MCAS) is located approximately 2 miles north of the project site; however, on July 2, 1999, the MCAS was closed for military use. John Wayne Airport is located approximately seven miles northwest of the project area.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The proposed improvements are not located within the vicinity of a private airstrip and, therefore, would not result in a safety hazard for people residing or working in the project area.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Laguna Canyon Road is one of three emergency access routes into and out of Laguna Beach. When a portion of Laguna Canyon Road is closed, emergency response times to the City of Laguna Beach are increased, and the time required for an evacuation of portions of the City is also increased.

The proposed improvements would not remove the road from the existing 100-year floodplain, and current flooding problems will continue during peak storm events. Therefore, the roadway will continue to be subject to closure during large storm events.

h) Expose people or structures to significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The proposed project area is located adjacent to two (2) wilderness parks and is therefore currently subject to potential wildland fires. However, the project does not involve the construction of any residential or commercial areas. Therefore, the project would not expose people or structures to significant loss, injury, or death from wildfires beyond the existing condition.

i) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?

No Impact. According to the Project Report, the increase in flow from the proposed project due to the additional minimal amount of paved impervious area within the watershed is negligible. No BMPs that result in standing water will be implemented, and there will be no environmental effects.

4.15 PUBLIC SERVICES

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public service including: fire protection, police protection, schools, parks, and other public facilities?

Less Than Significant with Mitigation. The proposed improvements would not directly affect emergency police or fire services. The Laguna Canyon Road/El Toro Road intersection would operate at an improved level of service and would improve public safety and fire access during peak hours (Project Report 2006). During construction, detours and lane closures may be required. With implementation of Mitigation Measure 4.6-1, which requires preparation of a Traffic Management Plan during construction, potential short-term impacts to emergency services will be reduced to below the level of significance. The roadway improvement does not generate demand for emergency services, schools, parks or other facilities.

4.16 UTILITIES AND SERVICE SYSTEMS

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board

No Impact. The proposed improvements do not create any wastewater demand and therefore would not exceed wastewater treatment requirements of the State Water Resources Control Board (Santa Ana Region).

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?

No Impact. The proposed improvements do not create a demand requiring the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

Less Than Significant Impact. Extension of the existing culvert/pipe will be required to accommodate the widened shoulder. Currently flooding is due to undersized existing storm water drainage facilities. The project does not result in a substantial net increase in peak discharge and will not change the existing condition or result in environmental effects. (Project Report 2006)

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

No Impact. As a transportation facility, the proposed project does not create a demand for water supplies.

e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact. Refer to Response 4.16(a), above.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

No Impact. As a transportation facility, the proposed project does not create a demand for a landfill.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. As a transportation facility, the proposed project does not create a demand for solid waste facilities.

4.17 MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact with Mitigation. As described in the sections above, all environmental effects were determined to be less than significant or reduced to below a level of significance with mitigation. Biological/wetland resources will be the most affected resource; however, there will be limited impacts to coastal sage scrub and oak trees. Mitigation Measures 4.9-1 through 4.9-8 will be implemented to reduce the level of impact to below significant.

There are no known cultural resources within the study area. With implementation of Mitigation Measures 4.11-1 and 4.11-2, potential effects to unknown cultural resources would be reduced to below the level of significance.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact with Mitigation. There are several past, present, and reasonably foreseeable projects that have or will potentially have an effect on the environment. Past, present, and future actions within upper Laguna Canyon watershed and the portions of the San Joaquin Hills adjacent to this portion of the canyon have been identified below. Given that the project's primary environmental effects are to biological and wetland resources, each of these cumulative project's effects on these resources are identified.

- State Route 73 (SR-73): San Joaquin Hills Transportation Corridor

  Construction of the SR-73 Laguna Canyon Road interchange resulted in 2.4 acres of permanent and 0.7 acres of temporary impacts to wetlands/waters of the U.S. These impacts were mitigated by creation of 7.7 acres of habitat in Bonita Creek and restoration of 0.7 acres within the Laguna Canyon Road interchange area. These mitigation areas were established in 1996 and have met all interim performance standards set forward in the mitigation program and Section 404 permit.

  In addition, coastal sage scrub was affected as part of the interchange construction and mitigated through revegetation of slopes with coastal sage scrub, as well as other revegetation, preservation, and enhancement measures at Coyote Canyon, Bonita Canyon, and Bonita Creek.

- Laguna Coast Wilderness Park

  The Laguna Coast Wilderness Park (LCWP) is an approximately 6,300-acre park owned jointly by the City of Laguna Beach, County, and CDFG. The County of Orange approved a General Development Plan (GDP) and Resource Management Plan (RMP) for the park in September 1998. Recreational use in the park is restricted to hiking, mountain biking, equestrian use, and

picnicking. Prohibited uses include motorized vehicles, boating, swimming, wading, fishing, domestic animals, and cattle grazing. The Negative Declaration prepared by the County for this project concluded that potential project, and cumulative environmental effects associated with implementation of the GDP were mitigated to below a level of significance.

- Widening of SR-133 between I-405 and SR-73

  The widening of SR-133 will result in impacts to 5.3 acres (permanent) and 2.3 acres (temporary) of wetland resources, which is mitigated by replacement of 15.5 acres of wetland habitat (Laguna Canyon Road HMMP 2004). Impacts to other biological resources are limited to coastal sage scrub on the adjacent slopes and will be conducted consistent with the NCCP. Project impacts associated with implementation of this project were mitigated to below the level of significance.

  The proposed project's contribution to cumulative impacts to biological and wetland resources within Laguna Canyon will not be considerable given the limited impact area (0.01 acre) of coastal sage scrub and 0.41 acre of wetland/riparian habitat, and encroachment into the dripline of nine oak trees. Mitigation of impacts would be accomplished through: (1) compliance with the NCCP/HCP incidental take authorization for coastal sage scrub habitat; (2) replacement of wetland/riparian habitat at a minimum ratio of 1:1 adjacent to the roadway; and (3) evaluation and monitoring of oak trees during and after construction. When considered in conjunction with other projects within Laguna Canyon, the proposed project effects would not result in a significant contribution to cumulative biological/wetland resource impacts. As described above, the project's impacts will be minimal and mitigated to below a level of significance.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

No Impact. The proposed improvements would not have a substantial adverse or significant impact on human beings, directly or indirectly. As described in Sections 4.7 (Air Quality), 4.8 (Noise), and 4.10 (Aesthetics) above, the proposed project will have beneficial effects on local air quality and viewshed quality within Laguna Canyon and a neutral effect on local noise levels. Overall, the project will result in positive effects on the human environment. The proposed project will not have adverse impacts on air quality or noise and will have a beneficial effect on aesthetics.

5.0 LIST OF PREPARERS

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6.0 ACRONYMS AND ABBREVIATED TERMS

ADL	Aerially Deposited Lead
ADT	Average Daily Traffic
AWCWP	Aliso and Wood Canyons Wilderness Park
BMPs	Best Management Practices
Caltrans	California Department of Transportation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CMP	Congestion Management Plan
CNPS	California Native Plant Society
CO	Carbon Monoxide
CSS	Coastal Sage Scrub
EA	Environmental Assessment
EIR	Environmental Impact Report
FEIR	Final Environmental Impact Report
GDP	General Development Plan
HBP	Harbors, Beaches and Parks
GMP	Orange County Growth Management Plan
HCP	Habitat Conservation Plan
I-405	Interstate 405
IS	Initial Study
ISA	Initial Site Assessment
LCP	Local Coastal Program
LCWP	Laguna Coast Wilderness Park
LOS	Level of Service
LSA	LSA Associates, Inc.
MCAS	Marine Corps Air Station
MLD	Most Likely Descendent
MND	Mitigated Negative Declaration
NCCP	Natural Communities Conservation Plan
NO_2	Nitrogen Dioxide
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
PS&E	Plans, Specifications, and Estimates
RDMD	Resources and Development Management Department
ROW	Right-of-way
RWCQB	Regional Water Quality Control Board
SCE	Southern California Edison
SR-1	State Route 1 (Pacific Coast Highway or Coast Highway)
SR-73	State Route 73 (San Joaquin Hills Transportation Corridor)
SR-133	State Route 133 (Laguna Canyon Road)

SR-241	State Route 241 (Foothill Transportation Corridor)
SSPs	Standards Special Provisions
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TMP	Traffic Management Plan
USACOE or Corps	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service

APPENDIX A

BIOLOGICAL RESOURCES REPORT

APPENDIX B

RESPONSE TO COMMENTS